

# ARKANSAS SUPREME COURT

No. CR 06-526

NOT DESIGNATED FOR PUBLICATION

Opinion Delivered      October 12, 2006

BOBBY WAYNE SAVAGE  
Appellant

*PRO SE* MOTION TO FILE BELATED  
REPLY BRIEF [CIRCUIT COURT OF  
BENTON COUNTY, CR-03-1168-2,  
HON. DAVID S. CLINGER, JUDGE]

v.

STATE OF ARKANSAS  
Appellee

MOTION GRANTED

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## PER CURIAM

In 2005, Bobby Wayne Savage, who is in the custody of the Arkansas Department of Correction, filed in the trial court a *pro se* petition for postconviction relief pursuant to Ark. R. Crim. P. 37.1. The trial court denied the petition and the record has been lodged here on appeal.

Appellant tendered his reply brief six days late. In the instant motion, he seeks to file the reply brief belatedly. As the basis for the motion, appellant states that he initially believed that he would be able to submit a hand-written reply brief, but misunderstood the limitations for doing so. When the reply brief was returned to him by our clerk, appellant had to arrange to have his brief typed and copied before being able to submit it to this court. Appellant has had no other late filings in this appeal and tendered the brief only six days past the due date.

As appellant has stated good cause for the delay in tendering his brief, the motion is granted. Our clerk is directed to file appellant's reply brief as of the date of this opinion.

Motion granted.